

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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REV. STEVEN SOOS, REV. NICHOLAS STAMOS,  
JEANETTE LIGRESTI, as parent and guardian of infant  
plaintiffs P.L. and G.L, DANIEL SCHONBRUN,  
ELCHANAN PERR, MAYER MAYERFELD, MORTON  
AVIGDOR

*Plaintiffs,*

-against-

ANDREW M. CUOMO, Governor of the State of New  
York, in his official capacity; LETITIA JAMES, Attorney  
General of the State of New York in her official capacity;  
KEITH M. CORLETT, Superintendent of the New York  
State Police, in his official Capacity; HOWARD A.  
ZUCKER, M.D., New York State Commissioner of Health,  
in his official capacity; BETTY A. ROSA, Interim  
Commissioner of the New York State Education  
Department, in her official capacity; EMPIRE STATE  
DEVELOPMENT CORPORATION (“ESD”), a New York  
State Public Benefit Corporation; BILL DE BLASIO,  
Mayor of the City of New York, in his official capacity;  
DR. DAVE A. CHOKSHI, New York City Commissioner  
of Health, in his official capacity; TERENCE A.  
MONAHAN, Chief of the New York City Police  
Department, in his official capacity; RICHARD  
CARRANZA, Chancellor of the New York City  
Department of Education in his official capacity.

*Defendants.*

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**NOTICE OF MOTION**

20-CV-0651

GLS/DJS

PLEASE TAKE NOTICE that upon the First Amended Complaint; the accompanying memorandum of law; and upon all prior proceedings, Defendants Governor Andrew M. Cuomo, in his official capacity; Attorney General Letitia James, in her official capacity; New York State Police Superintendent Keith M. Corlett, in his official capacity; New York State Commissioner of

the Department of Health Howard A. Zucker, M.D., J.D., in his official capacity; New York State Education Department Interim Commissioner Betty A. Rosa, in her official capacity; and Empire State Development Corporation (collectively, “State Defendants”), on January 7, 2021 at 9:00 a.m., or as soon thereafter as counsel can be heard, will make a motion at the United States District Court, Northern District of New York, Albany, New York, pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, and N.D.N.Y. Local Rule 7.1(a)(4), for an order dismissing the First Amended Complaint in its entirety with prejudice, together with such other or further relief as may be just.

Dated: Albany, New York  
November 24, 2020

LETITIA JAMES  
Attorney General of the State of New York  
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